

**Notice of Special Meeting
Oneida County Board of Supervisors
December 17, 2013 – 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

CALL TO ORDER:

There will be a brief moment of silence for our troops here and overseas, followed by the Pledge of Allegiance.

ROLL CALL: Supervisors: Ted Cushing, Billy Fried, David Hintz, Scott Holewinski, Jim Intrepidi, Bob Martini, Jack Martinson, Bob Metropulos, Bob Mott, Greg Oettinger, Sonny Paszak, Carol Pederson, Tom Rudolph, Jerry Shidell, Candy Sorensen Jack Sorensen, Denny Thompson, Michael Timmons and Romelle Vandervest - Late arrival: Greg Berard.

STUDENT REPRESENTATIVES PRESENT: 2 – Bailey Nichols & Erin Tenderholt

OF MEMBERS PRESENT: 20

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Karl Jennrich, Planning & Zoning; Lynn Feldman, U.W. Extension and Roger Luce, OCEDC

REPORTS/ PRESENTATIONS: Lynn Feldman to introduce Erin Tenderholt, Student Representative from Rhinelander High School.

Good-bye to Supervisor Gary Baier. Mary Bartelt, County Clerk read Supervisor Baier's obituary. Many expressed their thoughts and prayer's regarding Supervisor Gary Baier and his family.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

- Sign Attendance Form at the Podium.
- Please Use Microphones When Speaking.
- County Board/Employee Luncheon after meeting today.

ACCEPT THE MINUTES OF THE NOVEMBER 12, 2013 ANNUAL BUDGET MEETING.

MOTION/SECOND: Rudolph/Vandervest to accept minutes as presented. All "aye" on voice vote, motion carries.

***PUBLIC COMMENT:** Joel Knutson – Crescent Lake, Tom Handrick, Regarding Resolution #53-2013 – Boat Houses.

CONSENT AGENDA:

- **RESOLUTION #80-2013** - offered by Forestry, Land & Recreation Committee regarding the recommendation of the Forestry, Land & Recreation Committee and approve the Forestry Department Annual Work Plan for 2014.
- **RESOLUTION #81-2013** - offered by the Highway Committee regarding the installation of a culvert in the Town of Hazelhurst in the amount of \$25,482.56, money to come from the County Bridge Aid Account.
- **RESOLUTION #82-2013/GERERAL CODE OA** – offered by the Public Safety Committee amending the General Code, Section 10.045. (County, School and Municipal Building Security.)

- **RESOLUTION #83-2013** - offered by the Land Records Committee accepting the bid for Parcel # SC 793-B, Town of Schoepke.
- **RESOLUTION #84-2013** - offered by the Land Records Committee authorizing the quit claim deed of a portion of the 100 foot strip of land adjoining Muskellunge Lake Rd and Ranch Road to the adjoining landowner. Town of Newbold.
- **RESOLUTION #85-2013** - offered by the Land Records Committee authorizing the quit claim deed for sections 16 & 17, T37N, R9E, to adjoining land owners. Town of Pine Lake.

APPOINTMENTS TO COMMITTEES, COMMISSIONS AND OTHER ORGANIZATIONS

To appoint Pat Pechura to serve on the Library Board to fill a vacant position, with a term to expire December 2015.

Supervisor Shidell requested to pull Resolution # 82-2013 from the consent agenda and move it to the Consideration of Resolutions & Ordinances.

MOTION/SECOND: **Shidell/Vandervest** to adopt the consent agenda with the exception of #82-2013 which will be moved to Consideration of Resolutions & Ordinances. All “aye” on voice vote, motion carries.

Supervisor Greg Berard arrives at 9:45 am

CONSIDERATION OF RESOLUTIONS & ORDINANCES:

TABLED - RESOLUTION # 53-2013 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN - ORDINANCE AMENDMENT #6-2013

Ordinance Amendment offered by the Planning and Development Committee.

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #6-2013, (copy attached) which was filed June 20 , 2013 (copy attached) to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon July 8, 2013 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, members of the public and local building contractors requested to be allowed to have flat roofed boathouses; and

WHEREAS, a flat roofed boathouse would have a more aesthetically pleasing view from both the lake and the property owners home; and

WHEREAS, with a pitched roof that is designed to handle the snow load the roof tends to cut off the view of the lake for the property owner; and

WHEREAS, the Planning and Development Committee held a public hearing and a majority of the public wanted a flat roofed boathouse; and

WHEREAS, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

Ordinance Amendment #6-2013 authored by the Planning and Development Committee to amend Section 9.94A, Boathouses, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

Option A

Option A is not being forwarded to the Oneida County Board of Supervisors.

Option B

A. OHWM Setbacks

2. Exceptions to the 75-foot setback from the OHWM of a navigable waterbody. See Appendices C through G for illustrative purposes only. The text in this section shall be controlling and will supersede the appendices if there are any conflicting interpretations.
 - d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:
 - (1) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.
 - (2) The construction of a boathouse is confined to the viewing area.
 - (3) No part of any boathouse shall extend into the lake or stream beyond the OHWM.
 - (4) Any boathouse which may be permitted within the setback area shall be of one story only.
 - (5) A boathouse shall not exceed a total height of twelve (12) feet.
 - (6) A boathouse shall not be constructed on slopes 20% or greater.
 - (7) The maximum width of a boathouse parallel to the OHWM shall not exceed 20 feet. The overhang and eaves shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
 - ~~(8) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.~~
 - (9) Decks, platforms, & other construction not essential for berthing of boats is prohibited.
 - (10) A boathouse shall contain no plumbing.
 - (11) A boathouse shall contain no living facilities.
 - (12) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.
 - (13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).
 - (14) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #6-2013 by the Oneida County Board of Supervisors, cause a certified copy thereof to be

transmitted by mail to the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 6th day of August, 2013.
Offered and passage moved by Supervisors: Scott Holewinski, David Hintz, Gary Baier
and Michael Timmons.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE Oneida County Planning & Development Committee will hold a public hearing on Monday, July 8, 2013 at 6:00 p.m. in Woodruff Town Hall, 1418 1st Ave., Woodruff, WI 54568 on the following:

Ordinance Amendment #4-2013 authored by the Planning and Development Committee to amend Section 9.98, Piers, Other Berth Structures, Shoreland Bulk Requirements, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

Additions noted by underline; Deletions noted by ~~strikethrough~~

9.98 PIERS, OTHER BERTH STRUCTURES. ~~SHORELAND BULK REQUIREMENTS~~ (#83-2003, #12-2006)

A. Purpose

Near shorelands and waters and land within statutorily established setback distances from the OHWM provide natural beauty and are biologically the most productive and the most important for recreational use. Excessive or inappropriate construction of berthing and recreation structures in Oneida County's waterways may have a substantial cumulative adverse effect on public rights and interests in those waters. These requirements are intended to minimize the adverse effects of such construction and to reduce conflict between adjacent or nearby riparian owners by separating their respective uses of the water. A pier shall not unreasonably obstruct navigation or otherwise interfere with public rights in the navigable water and shall not interfere with the rights of other riparian owners. It is recognized that berth structures may be used by people with or without boats, for swimming and fishing and may be used for general for recreation. This ordinance does not regulate the placement or use of mooring buoys other than to count them in any determination of the maximum number of berths allowed to a riparian land owner pursuant to section 9.98(D).

B. Compliance

- ~~1. Berth structures constructed or replaced after the effective date of this ordinance which do not meet the requirements in section 9.98(D) are prohibited unless they have been issued a conditional use permit in accordance with the requirements identified for marina facilities in section 9.98(K).~~
- ~~2. A berth structure which existed prior to the effective date of this ordinance may be maintained in its present location and configuration as a permissible pre-existing berth structure subject to the requirements of section 9.99 of this ordinance. The annual seasonal removal of a berth structure does not affect its status as a permissible pre-existing berth structure.~~

- ~~3. Subject to the conditions and restrictions of any existing State or County permit, a berth structure or a marina which existed prior to the effective date of this ordinance may be maintained in its present location and configuration as a permissible berth structure or marina to the extent it is located and used in accordance with such permit and provided that within two years of the effective date of this ordinance a statement of record is filed with the County addressing all of the applicable provisions of sections 9.98(J) and (K).~~
1. A berth structure which existed prior to April 17, 2012 may be maintained in its present location and configuration as a permissible pre-existing berth structure subject to the requirements of Section 9.99 of this ordinance. The annual seasonal removal of the berth structure does not affect its status as a permissible pre-existing berth structure.
2. Subject to the conditions and restrictions of any existing State or County permit, a marina which existed prior to April 17, 2012 may be maintained in its present location and configuration as a permissible marina to the extent that it is located and used in accordance with such permit.
4. ~~3.~~ Any increase in the number of berths, any change in the location of, or any increase in the dimensions of, or any replacement of an existing berth structure shall be in accordance with this section. Boathouses are not subject to the dimensional restrictions of this section.

C. Berth Structures Limited (#83-2003)

1. Berth structures, except boathouses and boat shelters, may be placed by a riparian property owner without County permits if the construction complies with this section.
2. The use of the property must remain in conformity with the permissible uses enumerated within the zoning district.
3. Decks, platforms and other construction not essential for berthing of boats are prohibited, except that a canopy is permitted over a boat hoist or boat lift and a roof is permitted over a boat shelter or boathouse
4. A wharf shall only be permitted as an authorized berth structure upon the application for and issuance of a zoning permit after the following conditions have been established by the applicant:
 - a. That the wharf will not unreasonably obstruct navigation or otherwise interfere with public rights in the navigable water.
 - b. That the wharf does not interfere with the rights of other riparian owners.
 - c. That the construction or installation of a pier is not a practicable alternative.

D. Number of Berths

1. For each lot, the total number of berths or moorings at a berth structure is limited to two for the first full 50 feet of shoreline and one berth for each additional full 50 feet. Other factors such as those referenced in section 9.98(E), below, may limit construction and placement to a lesser number. Contiguous lots in common ownership shall be considered a single lot for the purposes of this section.
2. The maximum number of berths that may be permitted for a marina shall be two times the number of berths that would otherwise be permitted under section 9.98(D)(1), subject to the same factors as those referenced in section 9.98(E), which may limit construction and placement to a lesser

number. Compliance with this section shall be subject to section 9.98(B)(3).

3. For the purpose of this section, riparian shoreline frontage shall be determined pursuant to the provisions of Wis. Admin. Code NR 326.07.

E. Location of Berth Structures

1. Berth structures and moored boats must be confined to the owner's riparian zone as described in Wis. Admin. Code NR 326. Berth structures must be set back a minimum of 10 feet from side lot lines extended waterward and any additional distance required to confine approach and docking of the boat to the owner's riparian zone.
2. A berth structure may not unreasonably obstruct navigation or otherwise interfere with public rights in navigable waters. A pier may not encircle or isolate part of a waterway and may not interfere with the rights of other riparian owners.
3. Berth structures and their use may not damage public interest in waterways, including but not limited to, ecologically significant areas, i.e. spawning areas, important vegetation, loon or other waterfowl nesting areas, natural shoreline beauty.
4. Berth structures shall be consolidated as close together as practicable at a single location for each lot.
5. Berth structures, where practicable, shall be located immediately waterward from the shoreline where any boathouse or boat shelter is located.
6. The number of piers allowed accrues proportionately to the amount of shoreland frontage owned: one pier is permitted for riparian owners owning less than 150 feet of shoreland frontage. One additional pier is permitted for each additional 100 feet, or portion thereof, of the riparian owner's contiguous shoreland frontage. Multiple piers shall be consolidated as close together as practicable for each lot.

F. Dimensional Requirements (#83-2003)

1. Length
 - a. Unless limited by a pierhead line, as authorized by sec. 30.13, Wis. Stats., pier length is limited to:
 - (1) distance to three (3) foot water depth.
 - (2) length of boat to be berthed.
 - (3) depth required by boat to be berthed.
 - ~~b. A pier which otherwise meets the requirements of section 9.98(F)(1)(a) above, but which is more than 50 feet in distance from the ordinary high water mark, requires a zoning permit which may be issued only after the following conditions have been established by the applicant:
 - (1) that the pier will not unreasonably obstruct navigation or otherwise interfere with public rights in the navigable water.
 - (2) that the pier does not interfere with the rights of other riparian owners.~~
2. Width. The deck width of a pier, including "T" or "L" or similar finger extensions, may not exceed six (6) feet, except upon the application for and issuance of a CUP for which the applicant demonstrates a need for a deck width of up to eight (8) feet because of the handicap of a frequent user.

3. Lateral extensions. Any lateral extensions on piers shall be a "T" or "L" shape and must not exceed 20 feet in total width.

G. Regulation of Lighting

The purpose of this section is to minimize light pollution of the shoreland environment without significantly inhibiting safety and security. This section applies to all lighting on berthing structures or designed to illuminate those structures and associated berths. Light fixtures which do not conform to these provisions may be allowed with a conditional use permit upon a showing of special circumstances affecting safety, security, or general public interest. Legal pre-existing lighting in existence on the effective date of this section must be brought into compliance within five (5) years.

1. Flashing and rotating lights are prohibited.
2. Lighting inside a boathouse and intended to illuminate its interior is permitted.
3. Lighting on exteriors of berthing structures shall be fitted with opaque shades or shields to prevent direct visibility of the lamp to persons on public waters or adjacent lands more than 50 feet beyond the berthing structure.
4. Lighting not mounted on a berthing structure but designed to illuminate a berthing structure or its immediate vicinity shall comply with subparagraph 3 above.
5. Lighting installed on, or intended to illuminate, seasonally used berthing structures shall be turned off when not required for safety or security.
6. Public marinas may install illuminated signs with opaque shaded or shielded lighting that provide information pertaining to applicable federal, state or municipal rules and regulations relating to electrical, fueling, waste and sewage disposal or other safety and environmental matters. Such sign illumination shall not be visible from off the berth structure.

H. Accessory Construction

A pier may include only the following accessory construction:

1. Fuel or sewage handling equipment if applicable state and local safety and pollution prevention rules are complied with and necessary State and/or County permits are obtained.
2. A single bench that is Up to two (2) benches that are 6 feet or less in length or two (2) swivel seats, or one bench 6 feet or less and one swivel seat.
3. Flag pole.
4. A vertical boarding ladder required for safety or near vertical water stairs with handrails not to exceed four (4) feet in width.
5. An open railing may be permitted upon the application for and issuance of a CUP for which the applicant demonstrates a need because of the handicap of a frequent user. pursuant to Section 9.19 Relaxation of Standards for Persons with Disabilities.
6. Bumpers to protect watercraft and pier from damage.

I. Pier Construction Materials

Piers may be constructed of wood, treated wood, metal or other material, subject to the following:

1. They shall be free of any product residue or pollutants.

2. Metallic flotation devices shall be coated or painted to prevent corrosion.
3. They shall not include any container previously used to store hazardous substances as defined in sec. 144.01, Wis. Stats
4. They shall not include material that may readily fragment or break up, such as unprotected polystyrene or polyurethane floats.
5. Flotation devices shall be securely attached to the frame and maintained in serviceable condition at all times.
- ~~6. Safety reflectors shall be required on three sides of the waterward end of piers. Safety reflectors are also required on both sides of piers at minimum increments of 25 feet. Reflectors shall be white, amber or blue and shall be no more than five (5) inches square in size.~~

J. Marina Permit Guidelines

Granting of permits for marina facilities under this section shall be guided by the following principles:

1. The County has an obligation to protect public water resources and public safety by regulating construction of berth structures for boats.
2. The County encourages public access to navigable water consistent with its obligation to prevent degradation of water resources by overuse.
3. The uncontrolled drainage of developed riparian land has a significant adverse impact upon the health, safety, and welfare of the County by increasing the siltation and pollution of ground and surface water, by accelerating the eutrophication of receiving waters, by diminishing groundwater recharge and by increasing the incidence and severity of flooding.
4. The right to place berths, berth structures or on-site storage facilities for boats accrues in proportion to the amount of shoreline owned as described in section 9.98(D). Any such berth or storage facility in excess of the number permitted pursuant to section 9.98(D), shall be authorized only for the purpose of serving the public's interests and rights in the navigable waterways of this County. Such berths or on-site storage facilities must be available to members of the public on a first come - first served basis. Rentals or leases for the exclusive use of any such berths shall not be permitted for periods in excess of one year.

K. Marina Facilities

1. Any pier, boat shelter or mooring placement which exceeds the requirements of section 9.98(D) is deemed a marina facility for the purposes of meeting the requirements of this section and shall require a conditional use permit which may only be issued after a duly noticed public hearing has been held. Such permits may only be approved for lots which are located in zoning districts which allow marinas, or if the facility is owned by the federal, state or a municipal government.
2. In making a determination of whether a site is appropriate for a marina, the type of information contained in a CUP application may be considered as well as the impact of a marina on neighboring land or public facilities and of the public need for a marina. The following additional criteria must be addressed:
 - a. Existing land and water uses within 2 mile of the marina, including all current business uses of the property.
 - b. Current zoning district designation within 2 mile of the marina.

- c. Proximity of the marina to existing public boat landings, public swimming beaches and marinas.
- d. Buffer areas between the marina and adjacent properties.
- e. Location of ecologically significant areas within 2 mile of the proposed site.
- f. Noise control measures.
- g. A detailed sketch showing location and size of existing and proposed buildings, wells, septic systems, piers, individual slips, mooring buoys, water depth for berths and berth structures, boat launching facilities, beaches, fuel tanks and dispenser, parking lots, traffic circulation for both vehicles and boats.
- h. A statement from the applicant indicating the number of berths proposed to be sold, rented, or leased and the method of conveyance (e.g., fee simple, lease).
- i. Methods of waste collection and disposal. Identify precautions to stop improper disposal.
- j. Visual markers and/or signage of reasonable dimensions necessary to identify and/or locate the project.
- k. Exterior lighting of the marina facility.
- l. Sewage system capacity and compliance.
- m. Motor vehicle and trailer parking facilities.
- n. Hours of operation.
- o. Anticipated future changes or additional phases of the project.
- p. Methods to safely dispensing fuel.
- q. Location of any existing or proposed no-wake buoys.
- r. Erosion control measures.
- s. Storm water runoff controls.
- t. Fire protection measures.
- u. A statement from the applicant identifying all permits applied for or obtained by the applicant or his/her predecessor at the site, or obtained by the applicant or his/her operator at any other commercial site within the preceding ten (10) years and the extent of compliance with such permits.

L. Marina Facility Requirements

Marina facilities shall comply with the following requirements:

1. Marina facilities may not be permitted on waters formally designated by federal or state government as an outstanding resource water.
2. The applicant is required to secure authorization required by municipal floodplain, shoreland, wetland and general zoning ordinances and applicable state statutes and administrative rules, including but not limited to regulations relating to electrical, fueling, waste and sewage disposal and other safety and environmental regulations.
3. The applicant must demonstrate that on-land boat storage or trailer launch facilities are not a feasible alternative to any proposed pier, boat shelter or mooring construction.
4. The applicant shall employ erosion control measures to prevent erosion, siltation, sedimentation and washing and blowing of dirt and debris from excavation, grading, open cuts, side slopes and related activities of the applicant or the contractors. Such measures shall include, but not be limited to, seeding, sodding, mulching, watering, ponding and the construction of berms.

5. The applicant shall determine stormwater runoff or flow as a result of this development. The applicant shall provide stormwater management facilities either in the form of an infiltration structure or a detention basin which will retain on-site the first inch of stormwater from all impervious surfaces from this development.
6. Berthing privileges available to members of the public shall be rented or leased only on a first come - first served basis for terms no longer than one (1) year.
7. Any change or proposed change involving the facts relating to criteria identified in sections 9.98(K) and (L) or as a condition of approval for which a conditional use permit was issued must be submitted to and approved by the County prior to implementation of such change.
8. Reasonable public access to the facility and handicapped parking in compliance with state and federal regulations for the disabled must be provided.
9. Permits issued under this section are subject to further restrictions, conditions, modifications or revocation if the County determines the facility has become detrimental to the public interest or that it is not being adequately offered for use to the general public.
10. Boats berthed at a marina facility shall not be used for overnight lodging.

M. Boathouses

Any permitted boathouse shall be confined to the viewing area, shall be at least 10 feet from the lot line and subject to the provisions of section 9.94(A)(2)(d).

9.94 (A)(2)(d). Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:

- (1) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.
- (2) The construction of a boathouse is confined to the viewing area.
- (3) A boathouse shall be at least 10 feet from the lot line.
- (4) No part of any boathouse shall extend into the lake or stream beyond the OHWM.
- (5) Any boathouse which may be permitted within the setback area shall be of one story only.
- (6) A boathouse shall not exceed a total height of twelve (12) feet.
- (7) A boathouse shall not be constructed on slopes 20% or greater.
- (8) The maximum width of a boathouse parallel to the OHWM shall not exceed 20 feet. The overhang and eaves shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
- (9) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.
- (10) Decks, platforms, & other construction not essential for berthing of boats is prohibited.
- (11) A boathouse shall contain no plumbing.
- (12) A boathouse shall contain no living facilities.
- (13) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.

- (14) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).
- (15) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.

Ordinance Amendment #5-2013 authored by the Planning and Development Committee to amend Section 9.99, Shoreland Uses and Structures, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

Additions noted by underline; Deletions noted by ~~strikethrough~~

SHORELAND USES AND STRUCTURES

D. Shoreland structures which do not meet minimum setbacks of this ordinance.

- (3) Existing accessory structures less than Seventy-five (75) feet from the OHWM.
- (b) Open decks or patios less than seventy-five (75) feet.
- (2) Located from 40 to 75 feet of the OHWM. Open decks or patios less than seventy-five (75) feet from the OHWM, but 40 feet or more from the OHWM, shall not be enclosed or covered. Replacement and ordinary maintenance and repair are allowed. Open decks or patios are permitted horizontal expansion at a distance 40 feet or more from the OHWM, parallel to the OHWM at a distance equal to or greater than the dwelling unit or principal building provided the dwelling unit or principal building is located 40 feet or more from the OHWM. ~~Horizontal expansion toward the OHWM is not permitted.~~ The combined total square footage of all decks and patios located less than 75 feet from the OHWM cannot exceed 200 square feet, including any located less than 40 feet from the OHWM.

9.99 D (3)

- c. Wet Boathouses. The maintenance and repair of boathouses that extend water ward beyond the OHWM of any navigable waters shall be permitted upon the issuance of a permit and shall be subject to the requirements of sec. 30.121, Wis. Stats.
- d. Boathouses. A boathouse which existed prior to the effective date of this ordinance (?) is permitted ordinary maintenance and repair and structural improvements and/or alterations, which may result in total replacement, in the existing footprint/building envelope provided the requirements for mitigation in Section 996 are met. New decks, platforms or other vertical or horizontal expansion is prohibited.
- ~~e.~~ Replacement of retaining structures, essential for the control of severe erosion problems, due to steep slopes, or unstable soils shall be permitted.

9.99 M. ~~Boathouses~~

~~Any permitted boathouse shall be confined to the viewing area and subject to the provisions of section 9.94(A)(2)(d).~~

Ordinance Amendment #6-2013 authored by the Planning and Development Committee to amend Section 9.94A, Boathouses, of the Oneida County Zoning and Shoreland Protection Ordinance as follows: **Option A**

Additions noted by underline; Deletions noted by ~~strikethrough~~

Additional changes required for proposed language to eliminate new boathouses.

9.11 Purpose – Underlying Ordinance.

E. Preserve shore cover and natural beauty through:

- ~~4. Regulating the use and placement of boathouses and other structures.~~
- 4. Regulating the use and placement of structures.

9.94 A. OHWM Setbacks

There shall be setbacks from the ordinary high water mark (OHWM) on lots that abut or are within 75 feet of a navigable waterbody.

1. Setback of 75 feet

The setback for all structures shall be seventy-five (75) feet from the OHWM of any navigable waters to the nearest part of such structure, except for boathouses, boat shelters, piers, private sewage systems, water wells, stairways, walkways and lifts which may be permitted by the terms and conditions of this ordinance.

2. Exceptions to 75 ft setback to the OHWM

~~d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:~~

- ~~(1) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.~~
- ~~(2) The construction of a boathouse is confined to the viewing area.~~
- ~~(3) No part of any boathouse shall extend into the lake or stream beyond the OHWM.~~
- ~~(4) Any boathouse which may be permitted within the setback area shall be of one story only.~~
- ~~(5) A boathouse shall not exceed a total height of twelve (12) feet.~~
- ~~(6) A boathouse shall not be constructed on slopes 20% or greater.~~
- ~~(7) The maximum width of a boathouse parallel to the OHWM shall not exceed 20 feet. The overhang and eaves shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.~~
- ~~(8) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.~~
- ~~(9) Decks, platforms, & other construction not essential for berthing of boats is prohibited.~~
- ~~(10) A boathouse shall contain no plumbing.~~
- ~~(11) A boathouse shall contain no living facilities.~~
- ~~(12) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.~~
- ~~(13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).~~
- ~~(14) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.~~

9.94 B. Special Zoning Permission for Structures in Shoreland Setback Area.

The Zoning Administrator shall grant special zoning permission for the construction or placement of a structure on property within the shoreland setback area of any navigable waters if all of the following apply:

2. The total floor area of all of the structures on the property within the shoreland setback area will not exceed 200 square feet. In calculating this square footage, legal pre-existing boathouses shall be excluded. The square footage of stairways, walkways, and lifts that are determined to be necessary by the Department to provide pedestrian access to a berth structure or shoreline because of steep slopes, or rocky, wet, or unstable soils, are not included in calculating the total floor area.

9.96 Shoreland Mitigation Plan

C. Open decks or patios within the viewing area located less than 35 feet from the ordinary high water mark shall not be enclosed, covered or expanded, but replacement of up to 200 square feet shall be allowed. Excluding legal pre-existing boathouses, all other accessory structures including open decks or patios located outside of the viewing area and less than 35 feet from the ordinary high water mark must be removed.

F. Mitigation requirements A-E above shall be implemented for the following:

1. Structural improvements, alterations or replacement of existing boathouses pursuant to Section 9.99(D)(3)(d).
2. New stories, new basements and other vertical expansions, which may result in total replacement pursuant to 9.99(D)(4)(a)(2 and 3).

9.97 Shoreland Alteration Permit

C. Permit Review Procedure

1. Permit from Zoning Administrator
 - a. The Zoning Administrator has the authority to act on applications in the instances set forth below. The Zoning Administrator shall act on an application within 30 working days of the completed application being filed.
 - (1) ~~Alterations for the construction of boathouses,~~ Structural improvements and/or alterations to legal pre-existing boathouses pursuant to ~~9.94(A)(4),~~ 9.99(D) (3)(d), structures permitted under special zoning permission pursuant to 9.94 (B) and walkways if located in, on or over steep slopes or rocks, saturated or unstable soils. (Amend. #8-2000, effective 1/10/01)
 - (2) Alterations greater than 200 square feet but less than 10,000 square feet of the shoreyard when the slope is greater than 12%. (Amend. #08-2000, effective 1/10/01)
 - (3) Alterations of more than 10,000 square feet of the shoreyard. (Amend. #08-2000, effective 1/10/01)
 - b. Written notice of action.

9.98 Piers and Other Berth Structures

B. Compliance

4. Any increase in the number of berths, any change in the location of, or any increase in the dimensions of, or any replacement of an existing berth structure shall be in accordance with this section. ~~Boathouses are not subject to the dimensional restrictions of this section.~~

C. Berth Structures Limited (#83-2003)

1. Berth structures, except ~~boathouses and~~ boat shelters, may be placed by a riparian property owner without County permits if the construction complies with this section.

9.94 OHWM SETBACKS AND SPECIAL ZONING PERMISSION FOR STRUCTURES IN SHORELAND SETBACK (Amend. #08-2000, 29-2001, 71-2002, 87-2003, 14-2005, 02-2006, 12-2006, 13-2007, 14-2008)

Option B

A. OHWM Setbacks

2. Exceptions to the 75-foot setback from the OHWM of a navigable waterbody. See Appendices C through G for illustrative purposes only. The text in this section shall be controlling and will supersede the appendices if there are any conflicting interpretations.
 - d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:
 - (1) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.
 - (2) The construction of a boathouse is confined to the viewing area.
 - (3) No part of any boathouse shall extend into the lake or stream beyond the OHWM.
 - (4) Any boathouse which may be permitted within the setback area shall be of one story only.
 - (5) A boathouse shall not exceed a total height of twelve (12) feet.
 - (6) A boathouse shall not be constructed on slopes 20% or greater.
 - (7) The maximum width of a boathouse parallel to the OHWM shall not exceed 20 feet. The overhang and eaves shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
 - ~~(8) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.~~
 - (9) Decks, platforms, & other construction not essential for berthing of boats is prohibited.
 - (10) A boathouse shall contain no plumbing.
 - (11) A boathouse shall contain no living facilities.
 - (12) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.
 - (13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).
 - (14) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.

Additional changes required for proposed language to eliminate new boathouses.

9.12 Purpose – Underlying Ordinance.

E. Preserve shore cover and natural beauty through:

- ~~4. Regulating the use and placement of boathouses and other structures.~~
- 4. Regulating the use and placement of structures.

9.94 A. OHWM Setbacks

There shall be setbacks from the ordinary high water mark (OHWM) on lots that abut or are within 75 feet of a navigable waterbody.

1. Setback of 75 feet

The setback for all structures shall be seventy-five (75) feet from the OHWM of any navigable waters to the nearest part of such structure, except for ~~boathouses~~, boat shelters, piers, private sewage systems, water wells, stairways, walkways and lifts which may be permitted by the terms and conditions of this ordinance.

2. Exceptions to 75 ft setback to the OHWM

~~d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:~~

- ~~(1) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.~~
- ~~(2) The construction of a boathouse is confined to the viewing area.~~
- ~~(3) No part of any boathouse shall extend into the lake or stream beyond the OHWM.~~
- ~~(4) Any boathouse which may be permitted within the setback area shall be of one story only.~~
- ~~(5) A boathouse shall not exceed a total height of twelve (12) feet.~~
- ~~(6) A boathouse shall not be constructed on slopes 20% or greater.~~
- ~~(7) The maximum width of a boathouse parallel to the OHWM shall not exceed 20 feet. The overhang and eaves shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.~~
- ~~(8) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.~~
- ~~(9) Decks, platforms, & other construction not essential for berthing of boats is prohibited.~~
- ~~(10) A boathouse shall contain no plumbing.~~
- ~~(11) A boathouse shall contain no living facilities.~~
- ~~(12) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.~~
- ~~(13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).~~
- ~~(14) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.~~

9.94 B. Special Zoning Permission for Structures in Shoreland Setback Area.

The Zoning Administrator shall grant special zoning permission for the construction or placement of a structure on property within the shoreland setback area of any navigable waters if all of the following apply:

2. The total floor area of all of the structures on the property within the shoreland setback area will not exceed 200 square feet. In calculating this square footage, legal pre-existing boathouses shall be excluded. The square footage of stairways, walkways, and lifts that are determined to be necessary by the Department to provide pedestrian access to a berth structure or shoreline because of steep slopes, or rocky, wet, or unstable soils, are not included in calculating the total floor area.

9.96 Shoreland Mitigation Plan

C. Open decks or patios within the viewing area located less than 35 feet from the ordinary high water mark shall not be enclosed, covered or expanded, but replacement of up to 200 square feet shall be allowed. Excluding legal pre-existing boathouses, all other accessory structures including open decks or patios located outside of the viewing area and less than 35 feet from the ordinary high water mark must be removed.

F. Mitigation requirements A-E above shall be implemented for the following:

1. Structural improvements, alterations or replacement of existing boathouses pursuant to Section 9.99(D)(3)(d).
2. New stories, new basements and other vertical expansions, which may result in total replacement pursuant to 9.99(D)(4)(a)(2 and 3).

9.97 Shoreland Alteration Permit

C. Permit Review Procedure

1. Permit from Zoning Administrator
 - a. The Zoning Administrator has the authority to act on applications in the instances set forth below. The Zoning Administrator shall act on an application within 30 working days of the completed application being filed.
 - (1) ~~Alterations for the construction of boathouses,~~ Structural improvements and/or alterations to legal pre-existing boathouses pursuant to ~~9.94(A)(4),~~ 9.99(D) (3)(d), structures permitted under special zoning permission pursuant to 9.94 (B) and walkways if located in, on or over steep slopes or rocks, saturated or unstable soils. (Amend. #8-2000, effective 1/10/01)
 - (2) Alterations greater than 200 square feet but less than 10,000 square feet of the shoreyard when the slope is greater than 12%. (Amend. #08-2000, effective 1/10/01)
 - (3) Alterations of more than 10,000 square feet of the shoreyard. (Amend. #08-2000, effective 1/10/01)
 - b. Written notice of action.

9.98 Piers and Other Berth Structures

B. Compliance

4. Any increase in the number of berths, any change in the location of, or any increase in the dimensions of, or any replacement of an existing berth structure shall be in accordance with this section. ~~Boathouses are not subject to the dimensional restrictions of this section.~~

C. Berth Structures Limited (#83-2003)

1. Berth structures, except ~~boathouses~~ and boat shelters, may be placed by a riparian property owner without County permits if the construction complies with this section.

Copies of the foregoing documents are available for public inspection during normal business hours at the Planning & Zoning Office, Oneida County Courthouse, 2nd Floor, Rhinelander Wisconsin 54501 or phone 715-369-6130. The Oneida County Zoning and Shoreland Protection Ordinance is available online at www.oneida.wi.gov.

Anyone having interest may attend and be heard. Interested parties who are unable to attend may send written comments to the undersigned.

Dated this 20th day of June, 2013.

/s/Scott Holewinski, Chairman
Oneida County Planning & Development Committee
PO Box 400
Rhinelander WI 54501

Supervisor Holewinski stated a public hearing was held in Woodruff/Minocqua at 6:00 p.m. on Tabled Resolution #53-2013 regarding the eliminating new boathouses from the zoning ordinance and allowing flat roofs on boathouses. There were approximately 22 people at the public hearing and a majority of the testimony at the public hearing was in favor of allowing flat roofs on boathouses and not eliminating new boathouses.

More discussion took place regarding flat roof boathouses and the possibility of a setback of 35 foot from the ordinary high water mark which may interfere with drain fields and septic systems. It was felt that another public hearing may be warranted to have a better balance of public view.

MOTION/SECOND: Martini/J.Sorensen to amend Tabled, Tabled Resolution #53-2013 by adding a line #61 - No part of any boathouse shall extend into the lake or stream beyond the ordinary high water mark and set boathouses shall have a setback of 35 feet.

Brian Desmond, Corporation Counsel, states if the motion passes, another public hearing is warranted because the motion would change this resolution. Law requires a public hearing any time you amend the shoreline zoning ordinance. If the resolution is amended or altered it would have to go back to a new public hearing.

ROLL CALL VOTE ON AMENDMENT: 8 Ayes, 12 Nays – Holewinski, Thompson, Timmons, Oettinger, Mott, Fried, Shidell, Martinson, Hintz, Berard, Paszak, Cushing.

STUDENT REPRESENTATIVE: 1 Aye, 1 Nay – Nichols

MOTION: fails

MOTION/SECOND: Mott/ no second - boathouses should be pleasing to the eye and

blend in with the surroundings.

MOTION: fails – no second.

MOTION/SECOND: **Metropulos/Rudolph** to table Tabled/Tabled Resolution #53-2013 and send back to committee for an additional public hearing and bring back to County Board.

ROLL CALL VOTE: 11 Ayes, 9 Nays – Martinson, Shidell, Berard, Oettinger, Timmons, Thompson, Holewinski, Fried and Cushing.

STUDENT REPRESENTATIVES: 2 Ayes

MOTION: passes.

TABLED - RESOLUTION #53-2013 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN - ORDINANCE AMENDMENT #6-2013 – Tabled for the third time.

POSTPONED RESOLUTION #68-2013

Resolution offered by the Supervisors of the Solid Waste & Buildings and Grounds Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Solid Waste and Buildings & Grounds Committee has been charged with providing adequate and efficient office space to county departments, including space at the courthouse vacated by moving of the health department to the Health and Aging facility; and

WHEREAS, a space study and needs assessment was conducted by staff, which determined sufficient space is not available at the Oneida County Courthouse to provide adequate and efficient office space for both University of Wisconsin – Extension and Land and Water Conservation; and the Solid Waste and Buildings & Grounds Committee requires direction on the following options:

1. University of Wisconsin – Extension and Land and Water Conservation remain together at the Rhinelander-Oneida County Airport, acquiring additional space to be leased to provide adequate and efficient office space for both departments (see fiscal impact statement) with funding to address proposed renovation to come from the general fund;
2. Oneida County Board of Supervisors rescinds previous action to sell former WPS building located at 111 E. Davenport Street and approves renovation of that facility to provide adequate and efficient office space and allow for University of Wisconsin – Extension and Land and Water Conservation to be relocated to 111 E. Davenport Street (former WPS building), with funds to come from the general fund and with the board continuing to support the airport's budget if the currently leased space is not leased; or
3. University of Wisconsin – Extension remains located at the Rhinelander-Oneida County Airport; Land and Water Conservation is returned to their previous location at the Oneida County Courthouse, second floor, near Planning & Zoning, with funds to renovate office space for University of Wisconsin – Extension at the airport and second floor office space for Land and Water Conservation to come from the general fund.

NOW, THEREFORE, BE IT RESOLVED, Oneida County Board of Supervisors recommends Option Number ____ and directs the Solid Waste and Buildings & Grounds Committee to proceed with this option to address office space for both University of Wisconsin – Extension and Land and Water Conservation.

Approved by the Solid Waste & Buildings and Grounds Committee this 7th day of October 2013.

Offered and passage moved by Supervisors: William Fried, Jack Martinson and Greg Oettinger.

**Fiscal Impact
Option 1:**

Action	Anticipated Cost	Anticipated Annual Recurring Expense
Move airport administrative offices to former restaurant area; relocate economic development offices to former airport administrative offices	150,000	0
UW conference room renovated by airport	0	0
Redistribute space currently occupied by ED, TSA break room, LWC, airport conference room (Heck room) and UWEX	5,000	0
Create reception area	10,000	0
Update wall finishes, flooring, furniture/equipment	40,000	0
Provide cold storage for LWC	1,500	0
Annual rent expense (will need to include charge for additional square footage obtained by moving into former Economic Development area, TSA break room - negotiable)	40,193+	40,193+
Total cost:	246,693+	40,193+

Proposed timeline:

Funding for project appropriated by 12/31/2013
 Plans developed by 2/28/14
 Bid project by 3/31/14
 Renovation work by 6/30/2014
 Project complete and departments relocated by 7/31/2014

**FISCAL IMPACT
Option 2:
111 E. Davenport Street (former WPS building)**

Action	Estimated Cost using Year 2009 Figures	Annual Recurring Expense	Priority
Bathrooms (meet ADA requirements)	35,000	0	1
Telephone service (utilize voice over IP)	0	0	1
Computer infrastructure/connectivity with courthouse	37,100	0	1
Exterior building deterioration	7,500	0	1
Sidewalk deterioration	2,000	0	1
Heating/cooling occupied building/maintenance costs – additional annual costs	25,000	25,000	1
Staff/cleaning occupied building – annual costs	26,440	26,440	1

Parking lot seal/stripping (meet requirements/ADA spaces)	5,000	0	1
Fire detection/suppression compliance (not identified in 2009)	0	0	1
Proximity reader system	7,500	0	1
Architectural/engineering services to develop plan; submittals to state	10,000	0	1
Partition walls to create efficient use of space, electrical to code/replacement/relocation of emergency generator	20,000	0	2
Insulation (spray insulation)	15,000	0	2
Signage	2,500	0	2
Video surveillance	8,000	0	2
Update finishes (carpet, wallpaper, paint, window coverings)	135,000	0	3
Year 2014 rent of airport space	40,193	0	1
Continued subsidy to airport budget in the event new tenant is not found (if city agrees to fund half)		20,097	1
Totals	376,233	71,537	

Priority basis:

- 1 – Needs to be addressed prior to occupancy, possible consequences of worker injury or county liability
- 2 – Efficiency need, but unlikely consequence of worker injury or county liability
- 3 – Needs to be addressed soon, but not an immediate need

Proposed timeline:

- Rescind resolution to sell WPS building 10/15/13
- Funds for renovation project appropriated by 12/31/13
- Architect/engineer hired, plans developed and state approval obtained by 5/1/14
- Bid project by 7/31/14
- Renovation work complete by 12/31/14
- Departments relocated by 1/31/15

**Fiscal Impact
Option 3:**

Action	Anticipated Cost	Anticipated Annual Recurring Expense
Return LWC to courthouse, former offices – second floor	0	0
Create more workable space at courthouse for LWC utilizing one additional office and additional square footage	20,000	0
UW conference room renovated by airport	0	0
Reassign leased airport space using current configuration of offices and TSA break room space	0	0

Create reception area for UW	10,000	0
Update wall finishes, flooring, furniture/equipment for UW	40,000	0
Annual rent expense	40,193	40,193
Total cost:	110,193	40,193

Proposed timeline:

LWC could return to courthouse (their former location in far end of Planning & Zoning) immediately; cold storage items could be stored at courthouse (basement/garage areas)

Funding for projects (LWC additional office and square footage at courthouse; UW renovation at leased space) appropriated by 12/31/13

Reconfigure Planning & Zoning area adjacent to LWC's former offices

- Relocate file cabinets to outside wall
- Relocate cubicles to interior walls, and to provide LWC with additional square footage adjacent to their former offices
- Create office for Assistant PZ Director adjacent to PZ conference room (area currently housing file cabinets)

Plans developed by 12/31/13

Renovation work complete and UW offices relocated by 4/30/14

	Option 1 UWEX and LWC stay at Airport	Option 2 UWEX and LWC Move to WPS	Option 3 UWEX stays at airport, LWC moves to CH
--	---	---	---

Pros	<ul style="list-style-type: none"> Moving both TSA and OCEDC upstairs in airport meets current needs of both UWEX/LWC departments. Allows continued collaboration between departments. Maintains strong relationship with airport Allows continued collaboration between OCEDC and UWEX Class room/Meeting room space remains available for community groups in evenings and on weekends without staff needing to be present. Airport will invest in refinishing conference room 	<ul style="list-style-type: none"> Seen as “best” option by both UWEX/LWC departments and CUW committee Purportedly adequate space for all UWEX?LWC offices and files (9000ft² est. 4000 ft² needed) Best “business” decision for increasing clients served by being in a more accessible and visible location. Proximity to Courthouse would allow County Staff and elected officials to more easily access Extension staff for services and consultations. Preservation of county building space for other future use. Free up additional space for CH for future use (LWC area). Opportunity to lease unused space in WPS building to governmental / non-governmental partner Opportunity for other county offices to utilize space. 	<ul style="list-style-type: none"> Shortest timeline. Solves an immediate need (as space at airport is limited). Quickest solution Cheapest solution (building costs) Would make immediate private office space available for Michele, LTEs would use cubicle space. All of LWC files in one place (!) No architectural evaluation needed Maintains UWEX relationship with airport Plenty of space at airport for UWEX use, regain use of Heck Room as a conference room Classroom/Meeting room space remains available for community groups in evenings and on weekends without staff needing to be present. Allows continued direct collaboration between OCEDC and UWEX.
Cons	<ul style="list-style-type: none"> This option maximizes all available space available in airport-may/probably will not meet future needs of both departments (growth/change, i.e., specifically addition of a Conservation Specialist). ?? space for all LWC files ? Distance from downtown. 	<ul style="list-style-type: none"> 2009 numbers presented are not solid – still need outside architectural input (at cost) Have not done any floor planning design specific to LWC and UWEX. Longest implementation timeline, most intensive for work. Loss of day to day contact between OCEDC staff and UWEX faculty. Would meeting space at WPS be available for community group use outside of traditional working hours? Adequacy of parking? 	<ul style="list-style-type: none"> Concern about 0.4 FTE support staff – decreasing department efficiency Loss of day to day contact between UWEX faculty and LWC staff would make joint programming and consultation considerably more difficult Distance from downtown for UWEX Classroom/meeting space is not easily accessible by LWC and AIS programs for night/weekend meetings

Considerations	<ul style="list-style-type: none"> Require architectural input to confirm cost Requires addition of outdoor 	<ul style="list-style-type: none"> Would investment of building improvements + use of WPS building = “break even” on past 	<ul style="list-style-type: none"> Need to arrange for storage Of AIS Field equipment At CH and/or off-site
----------------	---	--	--

	<p>storage for AIS</p> <ul style="list-style-type: none"> • Future technology needs? Citrix, VoIP) • Medium timeline: still involves a lot of construction etc. 	<p>Investment?</p> <ul style="list-style-type: none"> • What is the square foot cost commitment to updating WPS vs. Adding 3rd. floor to CH 2nd floor annex for future space needs? • What is the total square footage that could be gained from CH 3rd floor addition vs. WPS (less space More cost)? • Costs for technology (Citrix/VoIP). • Change in county code necessary to lease space (?) 	<ul style="list-style-type: none"> • Future technology needs? (Citrix, VoIP)
--	---	--	---

MOTION/SECOND: Fried/Vandervest to postpone Postponed Resolution #68-2013 indefinitely.

ROLL CALL VOTE: 17 Ayes, 2 Nays – Holewinski and Shidell, 1 Abstain - Martinson.

STUDENT REPRESENTATIVES: 2 Ayes

POSTPONED RESOLUTION # 68-2013: Postponed indefinitely.

Student Representative – Bailey Nichols - excused

RESOLUTION # 86-2013

Resolution offered by the Supervisors of the Solid Waste and Buildings & Grounds Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Oneida County Solid Waste and Buildings & Grounds Committee submitted Resolution #68-2013 to the Oneida County Board of Supervisors on October 15, 2013 recommending three options to meet the space needs of University of Wisconsin – Extension and Land and Water Conservation; and

WHEREAS, the Oneida County Board of Supervisors passed a motion to refer this item back to the committee to look at other options; and

WHEREAS, the Oneida County Solid Waste and Buildings & Grounds Committee has explored all options to find other space to meet the needs of University of Wisconsin – Extension and Land and Water Conservation and has determined that renovation of the Rhinelander-Oneida County Airport and relocation of the airport administrative offices, Economic Development, and airport conference room to create additional square footage for University of Wisconsin – Extension and Land and Water Conservation is too costly; relocation of University of Wisconsin-Extension and Land and Water Conservation to the former WPS building, requiring extensive renovation, is too costly; rent of privately owned office space combined with the additional subsidy to the Rhinelander-Oneida County Airport if the current rental space is not leased by another party is too costly; and leasing of part of the former WPS building is prohibited by Oneida County Code, creates security concerns, and would likely require more extensive renovation to create separation of space and therefore would be too costly; and

WHEREAS, the Oneida County Human Resources Director has advised that support staff can be shifted to meet the needs of both departments; and

WHEREAS, there is adequate space to meet the needs of Land and Water Conservation by returning the department to their previous location in the Oneida County Courthouse, second floor, Planning & Zoning office space; and
Whereas, by relocating Land and Water Conservation to the Oneida County Courthouse, adequate space remains at the Rhinelander-Oneida County Airport to house University of Wisconsin-Extension; and

WHEREAS, the Solid Waste and Buildings & Grounds Committee has determined that the cost of leased space at the Rhinelander-Oneida County Airport is the best value for the taxpayers of Oneida County;

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors directs the Oneida County Solid Waste and Buildings & Grounds Committee to immediately return Land and Water Conservation to their previous location at the Oneida County Courthouse, second floor, Planning & Zoning office space with University of Wisconsin-Extension remaining in the available office space in the lower level of the Rhinelander-Oneida County Airport, and further directs the Oneida County Solid Waste and Buildings & Grounds Committee to enter into a twenty-year lease, with possible cost adjustments after ten years, with the Rhinelander-Oneida County Airport to provide a long-term solution to the space needs of these departments.

Offered and passage moved by Supervisors: Greg Oettinger, William Fried, Gary Baier and Jack Martinson.

MOTION/SECOND: Fried/Rudolph to table Resolution #86-2013 until the January County Board Meeting.

ROLL CALL VOTE: 15 Ayes, 5 Nays – J.Sorensen, Thompson, Shidell, Martinson and Holewinski.

STUDENT REPRESENTATIVE: 1 Aye, 0 Nays

RESOLUTION #86-2013: Tabled to January 21 2014 Meeting.

RESOLUTION #87-2013

Resolution offered by Supervisors of the Conservation & UW Extension Committee
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, there is a prospective buyer who has offered to purchase and renovate the currently vacant former WPS building, and

WHEREAS, this prospective buyer would lease to the County square footage for office space for the Oneida County Land Water Conservation Department (LWCD) and Oneida County UW-Extension (UWEX) department, and

WHEREAS, the sale of the unused WPS building would benefit the wider community by returning the building to the County and City of Rhinelander tax rolls, filling vacant storefront space in the City downtown area, as well as preventing the demolition of an existing building, and

WHEREAS, co-location and downtown location would enhance collaborative programs and improve accessibility to the county services provided by the above named county departments, and

WHEREAS, this proposal could do any or all of the following: transfer risk to the purchaser; reduce depreciation of county assets in facilities; retain county footprint in downtown area beyond the courthouse; enable the formation of a business incubator or other business development at the lower level offices of the airport, and

WHEREAS, Resolution #68-2013, presented to the County Board on October 15, was, per motion, referred back to Solid Waste and Building and Grounds Committee to explore renovating ½ of the WPS Building and rent the other ½ of the WPS Building and explore other rental facilities downtown to house both U.W. Extension and LWC and include funding for 'analysis' and 'look at other options', and

WHEREAS, new, specific, and detailed planning has been completed in the three weeks prior to the current resolution, and
WHEREAS, approval of specific components of the potential buyer's proposal is subject to the independent timelines of several committees and approving entities, and
WHEREAS, this proposal has the potential to provide benefits to multiple public, private, local government and the local tax payer interests,
NOW, THEREFORE, BE IT RESOLVED, that no immediate action by the county board will be taken regarding the office location for the LWCD and UWEX departments until the ongoing negotiations among all parties have been completed,
BE IT FURTHER RESOLVED, that the Oneida County Board expects to hear an update with further actions to be considered at the January meeting of the Board.

Approved by the Conservation and UW Extension Committee this 9th day of December, 2013.

Offered and passage moved by Supervisors: Thomas Rudolph, Greg Berard, Jim Intrepidi, Bob Martini and Bob Mott.

MOTION/SECOND: Shidell/Timmons to table Resolution #87-2013.

ROLL CALL VOTE: 19 Ayes, 1 Nay – Martinson

STUDENT REPRESENTATIVE: 1 Aye.

RESOLUTION #87-2013: Tabled.

RESOLUTION #88-2013

Resolution offered by the Supervisors of the Administration Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Wisconsin Statutes s. 74.29 provides that it is discretionary for a county to settle in full with a local unit of government for special assessments and charges; and

WHEREAS, Wisconsin Statutes s. 75.365 authorizes agreements as to delinquent taxes, including special assessments and charges, between counties and local units of governments; and

WHEREAS, it is in the best interest of Oneida County to enter into agreements with local units of government which set forth terms by which Oneida County would settle in full on delinquent special assessments and charges; and

WHEREAS, Oneida County, on a regular basis, takes title to parcels of real estate throughout Oneida County through in-rem procedures outlined in Wisconsin Statutes; and

WHEREAS, outstanding taxes and special assessments and charges remain unpaid when said properties are foreclosed upon through the in-rem process; and

WHEREAS, Oneida County often incurs financial losses because the amount of said outstanding taxes, special assessments and charges exceeds the fair market value of the property; and

WHEREAS, attached is a sample Agreement as to Delinquent Special Assessments and Charges that provides mutual financial benefits to both Oneida County and the participating local unit of government; and

WHEREAS, said Agreement will be offered to all local units of government within Oneida County on an equal basis; and

WHEREAS, the Agreement recognizes specific local units of government may, at their discretion or option, decide whether or not it is to their advantage to elect to execute said Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that Oneida County shall settle in full for all delinquent special assessments and charges with those local units of government which enter into an Agreement as to

Delinquent Special Assessments and Charges, which is in conformity with Wisconsin Statute s. 75.365, and in substantially the same format and language of the attached agreement; and

BE IT FURTHER RESOLVED, that Oneida County shall not settle in full for delinquent special assessments and charges with those local units of government which decide, in the exercise of their discretion, not to enter into said Agreement; and

BE IT FURTHER RESOLVED, the Oneida County Board Chairman and the County Clerk are hereby authorized to execute all Agreements on behalf of Oneida County with those local units of government which elect to enter into said Agreement with the County; and

BE IT FURTHER RESOLVED, that any prior resolution and/or policies inconsistent with this resolution are hereby revoked; and

BE IT FURTHER RESOLVED, that the settlement process outlined above shall commence on January 1st, 2014.

Approved by the Administration Committee this 14^h day of October, 2013.

Offered and passage moved by Supervisors: David Hintz, Ted Cushing Sonny Paszak and Gerald Shidell.

September 5, 2013

TO: Municipal Mayor, President, Administrator, Chairperson, Clerk and Treasurer
FROM: Oneida County Treasurer Kris Ostermann

Oneida County has experienced a substantial increase in delinquent taxes in the last three years. This increase includes municipal unpaid special assessments and charges that are paid to your municipality annually. The County has taken an in-depth look into the settlement process and determined that changes are needed.

In accordance with 1987 Wisconsin Act 378, Chapter 74.29, Oneida County passed a resolution which stated that in August the County Treasurer shall pay in full to the municipalities all delinquent taxes as well as special assessments/charges included in the tax roll which have not previously been paid to, or retained by, the local treasurer.

Examples of special assessments and charges are as follows:

- water/sewer main and lateral installations
- street improvements (sidewalks, storm sewers, seal coating, etc.)
- street light installation
- greenbelts, drain ditch and watercourse
- weeds, tree planting, snow removal, plowing
- refuse and garbage collection, recycling
- grading, gravel, culvert, fencing, fire calls
- delinquent utility charges
- building demolition, other

Oneida County has adopted by ordinance the Foreclosure of Tax Liens by Action In Rem process to foreclose on properties with delinquent taxes. Historically, 99+% of the delinquent taxes eventually are paid and the County recoups the special assessments and charges. In the rare cases that the County takes title of a property and is unable to sell the property to cover the full delinquency, which may include special assessments or

charges, the loss becomes part of the County levy. This levy increase is then essentially distributed to all County municipalities when the special assessment or charge occurred in only one municipality.

In order for Oneida County to continue to buy municipal special assessments and charges we determined that an agreement must be signed by each municipality. By entering into the attached agreement your municipality is agreeing to reimburse your special assessments and charges to the County upon foreclosure. Furthermore, if the property is sold for a profit any proceeds will be distributed according to State statutes. To maintain equity among municipalities we are asking you to have your municipal board approve the attached agreement and return to the County by _____.

If you have any questions or concerns, please contact me at 715-369-6137.

Sincerely,

Kris Ostermann
Oneida County Treasurer

**AGREEMENT AS TO DELINQUENT SPECIAL ASSESSMENTS
AND CHARGES**

IT IS HEREBY AGREED by and between Oneida County, a Wisconsin municipal corporation, and the municipality of _____, a municipal body corporate and politic of the State of Wisconsin, that:

1. Oneida County shall settle in full with the municipality of _____, on August 20th of each year for all special assessments and charges as authorized by Wis Stat sec. 74.29 or any successor statute.

2. Upon the taking of any property within the municipality of _____, by foreclosure of tax liens by action in rem, the municipality of _____, will immediately pay to Oneida County the amount of all municipal outstanding special assessments and charges.

3. If and when said parcel of land is sold by Oneida County, Oneida County shall, pursuant to Wis Stat sec 75.36(3), or any successor statute, deduct costs, taxes, interest and then prorate and disburse the balance of the proceeds as authorized by Wis Stat sec 75.36(3), or any successor statute.

4. This agreement is entered into in accordance with the authority granted by Wis Stat sec 75.365 and shall first be applicable to delinquent accounts eligible for foreclosure in 2013; and shall apply to all delinquent special assessments and charges due for said delinquent accounts.

5. This agreement will automatically renew on an annual basis, in all of its terms and conditions without modification, unless written notice of intent to terminate is received by the municipality of _____ clerk or the Oneida County Clerk at least 90 days prior to calendar year end.

6. The undersigned Town Chairperson/Mayor of the municipality of _____, enters into this agreement pursuant to approval granted by the _____ town board at its regular meeting of _____.

DATED AND SIGNED this ____ day of _____ 2013.
MUNICIPALITY: _____
BY: _____
TITLE: _____

7. The undersigned Oneida County Treasurer enters into this agreement on behalf of Oneida County pursuant to the authority granted by resolution # _____ approved by the Oneida County Board of Supervisors at its regular meeting of _____ 2013.

DATED AND SIGNED this ____ day of _____ 2013.
ONEIDA COUNTY BY:

Ted Cushing, Chairman
Oneida County Board of Supervisors

Mary Bartelt
Oneida County Clerk

MOTION/SECOND: Hintz/Vandervest to amend Resolution #88-2013 on page 1, line 21 to strike fair market value and insert sale price. On the Agreement, Item 4, add to the end of paragraph – “The County will provide the municipality a list of properties that become delinquent yearly so the municipality can take measures to try and minimize damage to property or excessive charges, i.e. water breaks cost, etc. On the last page of the Agreement, “Add Oneida County Treasurer, Kristina Ostermann for a signature

ROLL CALL VOTE: 20 Ayes, 0 Nays

STUDENT REPRESENTATIVE: 1 Aye.

MOTION: Passes

ROLL CALL VOTE ON AMENED RESOLUTION #88-2013: 20 Ayes, 0 Nays

STUDENT REPRESENTATIVE: 1 Aye.

AMENDED RESOLUTION #88-2013: Adopted

RESOLUTION #82-2013- GENERAL CODE OF ONEIDA COUNTY, WISCONSIN

ORDINANCE AMENDMENT # - (pulled from consent agenda)

Ordinance Amendment offered by the Public Safety Committee

WHEREAS, the County, local school districts and many municipalities have building security measures in place to protect employees and the public; and

WHEREAS, tampering with, bypassing or attempting to bypass those security measures put many people at risk; and

WHEREAS, currently there is not a County ordinance that penalizes individuals for tampering with, bypassing or attempting to by-pass security measures at the County, schools or other municipal buildings.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 10.045 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

10.045 COUNTY, SCHOOL AND MUNICIPAL BUILDING SECURITY

(1) Definitions

(a) “Entry Control Point” means a location and associated facilities and/or personnel established to screen persons and articles entering the security area or any physical barrier intended to restrict access.

(b) “Security area” means all portions of a County, school or municipal facility that have been designated as requiring additional security or the screening of persons entering therein for the safety and security of the public and employees, posted with sufficient signage to alert the public of its presence, whether or not any security officers are present or any

particular post is manned.

(2) No person shall:

- (a) Disobey the lawful order of any security, or law enforcement officer.
- (b) Bypass or attempt to bypass any security measure, including but not limited to posted or locked doors, entry control points, or signage restricting the movement of persons.
- (c) Aid or abet another person in any attempt to bypass any security measure.
- (d) Fail to comply with any lawfully posted sign or placard.
- (e) Attempt to disable, bypass, tamper with, or otherwise affect the proper operation of any security device, sign, placard, or physical barrier.
- (f) Attempt to gain unlawful access to a security area, or remain in a security area without permission.

(3) Penalty:

Any person who violates any provision of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$50.

25.04 PENALTY PROVISIONS.

<u>10.045</u>	<u>Building Security Violation</u>	<u>50.00</u>	<u>186.00</u>
---------------	------------------------------------	--------------	---------------

[The remainder of section 25.04 remains unchanged]

Consent Agenda Item: YES NO

Offered and passage moved by Supervisors: Bob Metropulos, William Fried, David Hintz, Michael Timmons and Jack Martinson.

ROLL CALL VOTE: 19 Ayes, 1 Nay-Martinson

STUDENT REPRESENTATIVE: 1 Aye, 1 Absent – Nichols

RESOLUTION #82-2013: Enacted

OTHER BUSINESS: Business incubators – Supervisor Martini addressed the County Board regarding business incubators stating a business incubator’s main goal is to produce successful firms that will have the potential to create jobs, revitalize neighborhoods, commercialize new technologies and strengthen local and national economies. Supervisor Martini talked about developing an incubator, incubator’s in Wisconsin, sponsors of business incubators, and funding for incubators.

Roger Luce, OCEDC states he has been involved with business incubators for 31 years and he served on the National Incubator Board and the State of WI. Incubator Board. Luce explained business incubators are more of a support process which utilizes the services which are out there among all the various agencies in the State of Wisconsin. These businesses can be nurtured along to be a viable business and will be able to support and pay the rent at a private sector spot. When businesses become profitable for a period of time, which is approximately 6 months, and achieve that for another 3 months then you must graduate from the facility and go out into the private sector side. Luce states our participation as an Economic Development Corporation would be that we would work with the incubator to provide the loans that are out there whether it is through the State or Federal Government or an Oneida County Economic Development Program. Luce stated research has shown that for every one dollar of

public operation subsidies provided it generates another 30 in local tax revenue. Luce feels you can make a difference in making new jobs and growing new business.

Supervisor Martini would like the County Board to investigate what we could do to establish, foster, and sustain an incubator in the county by providing assistance in some way.

Supervisor Shidell stated he feels that for every one dollar of public operation subsidies it would generate another 30 in local tax revenue are false. Shidell stated if this would be the case then we should invest 50 million dollars since this would then generate 1.5 billion dollars in local tax dollars for Oneida County and we would never have to worry about a budget again. Shidell states the Eco- Business Park that we put money into does not have a single business in there and we will have to build bridges to get to it. He feels we should not get involved because it is doomed to failure and will not succeed.

Supervisor Rudolph stated a number of years ago Economic Development Corporation did look into establishing an incubator and in fact the Economic Development Corporation Board did visit a number of Incubators in other counties. Rudolph stated this was never really followed up on and feels this would be worth looking into.

More discussion took place and no referrals or motions were made.

CLOSED SESSION: time - 11: 43 am.

The County Board may consider a motion to adjourn into Closed Session pursuant to Section 19.85(1)(g) for the purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning the strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

□ Topic: County Highway Y lawsuit

Upon completion of this portion of the meeting, it is anticipated the Committee will make a motion to return to open session to consider the remainder of the meeting agenda.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION.

Chairman Cushing stated there was no action taken in closed session.

ADJOURNMENT:

MOTION/SECOND: Rudolph/Vandervest to adjourn at 11:56 am. All "aye" on voice vote, motion carries.